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In re Application of	:	
NEWTON, et al.	:	
Application No.: 10/521,417	:	COMMUNICATION AND
PCT No.: PCT/EP03/06753	:	
Int. Filing Date: 25 June 2003	:	NOTICE OF
Priority Date: 05 July 2002	:	
Attorney Docket No.: SC0978EG	:	ABANDONMENT
For: TRANSMITTER AND RECEIVER GAIN	:	
CALIBRATION BY MEANS OF FEED-	:	
BACK IN A TRANSCEIVER	:	

This communication is in response to applicant's "PETITION UNDER 37 CFR 1.47" filed 03 March 2006 in the United States Patent and Trademark Office (USPTO).

### **BACKGROUND**

On 25 June 2003, applicant filed international application PCT/EP03/06753 which claimed priority to a previous application filed 05 July 2002. Pursuant to 37 CFR 1.495, the deadline for submitting payment of the U.S. Basic National fee was to expire at midnight on 05 January 2005.

On 05 January 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an Information Disclosure Statement and a preliminary amendment.

On 01 July 2005, applicant was mailed a "Notification of Missing Requirements" (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventors was required, as well as, payment of the \$130.00 surcharge for providing an executed oath or declaration later than thirty months from the earliest claimed priority date. Applicant was afforded two months to file a proper response.

On 03 March 2006, applicant filed a "Petition Under 37 CFR 1.47" accompanied by a petition for a six-month extension of time under 37 CFR 1.17(a)(6).

### DISCUSSION

Applicant is advised that six-month extensions of time do not exist nor is applicant's referenced citation of 37 CFR 1.17(a)(6) found in the code of federal regulations. Since applicant did not respond within the time period provided in the Form PCT/DO/EO/905 mailed 01 July 2005 (two months with a maximum extendable period of five month additional months) this application is **ABANDONED** as to the National Stage in the United States. Applicant may wish to file a petition to revive pursuant to 37 CFR 1.137 (a) or 37 CFR 1.137 (b). The recommendation to file a petition to revive should not be construed as to indicate whether the petition will be granted.

### CONCLUSION

This application is **ABANDONED** as to the National Stage in the United States.

A decision on the petition under 37 CFR 1.47 will be held in abeyance pending revival of the application.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for mailing of a "Notification of Abandonment" (Form PCT/DO/EO/909).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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